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**UNITED STATES DISTRICT COURT**

for the

District of South Carolina

\_\_\_\_\_  
Christopher Lovett Burkes,

*Petitioner*

v.

\_\_\_\_\_  
Warden Joseph McFadden,

*Respondent*

)  
)  
)  
)  
)

Civil Action No. 1:16-cv-02532-BHH

**JUDGMENT IN A CIVIL ACTION**

The court has ordered that (*check one*):

☐ the petitioner (*name*) \_\_\_\_\_ recover from the respondent (*name*) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent (*name*) \_\_\_\_\_ recover costs from the petitioner (*name*) \_\_\_\_\_.

☒ The petitioner, Christopher Lovett Burkes, shall take nothing of the respondent, Warden Joseph McFadden, and this action is dismissed without prejudice.

This action was (*check one*):

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Bruce Howe Hendricks, United States District Judge, presiding, adopting the Report and Recommendation set forth by the Honorable Shiva V. Hodges, United States Magistrate Judge, which recommended dismissing the petition without prejudice.

Date: December 7, 2016

*ROBIN L. BLUME, CLERK OF COURT*

s/M. Walker

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*